

Serial No.: 10/671,940
Docket No.: 101-1007
Amendment dated December 20, 2005
Reply to the Office Action of November 2, 2005

REMARKS

Introduction

Applicants note with appreciation the Examiner's indication that each of the references cited in the Information Disclosure Statements of September 29, 2003, July 26, 2005, and March 18, 2004 have been considered.

Upon entry of the foregoing amendment, claims 1-39 are pending in the application. Non-elected claims 12-24 and 33-39, have been withdrawn from consideration by the Examiner. However, Applicants reserve the right to file the non-elected claims in a divisional application claiming priority from the present application. Claims 1-3, 5, 6, 8-11, 25, 27-29, and 32 have been amended. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

Objections

Claims

Claims 6, 9 and 27-30 have been objected to as containing informalities. Claims 6, 27, and 28 have been amended, as suggested by the Examiner. Accordingly, Applicants respectfully request that the Examiner withdraw the objection to these claims.

Regarding the objection to claim 9, Applicants submit that the Examiner's interpretation for the purposes of examination, as set forth at page 2, item 2 of the Office Action of November 2, 2005, is a correct interpretation of the claim language. Accordingly, Applicants respectfully submit that the claim language as recited in claim 9, and as interpreted by the Examiner, is sufficiently clear and definite to meet the requirements of 35 U.S.C. §112. It is respectfully requested that the Examiner withdraw the objection of this claim.

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Rejections under 35 USC §102

Claims 1-11, 25-29, 31, and 32 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,997,129 to Matsuhashi. Applicants respectfully request reconsideration of these claims for at least the following reasons.

Claims 1-11

At page 4 of the Office Action of November 2, 2005, the Examiner takes the position that Matsuhashi discloses "a plurality of support beams (fig. 8, element 214) extending at an upper portion of the ink collector in a paper feed direction and in an opposite direction to the paper feed direction..."

Applicants submit that Matsuhashi is directed to an excess ink capturing mechanism 211 having guide ribs 214 for guiding recording paper over a reservoir 212. See Matsuhashi col. 10, lines 22-33 and FIG. 8. Matsuhashi's excess ink capturing mechanism 211 includes a bottom plate 212a and side walls 212b, 212c, 212d, and 212e rising from the periphery of the bottom plate 212a. The Examiner relies on the guide ribs 214 shown in Matsuhashi as allegedly being equivalent to "support beams," as recited in independent claim 1 of Applicants' invention. However, it is evident from FIG. 8 of Matsuhashi that the guide ribs 214 protrude from the bottom plate 212a without contacting the side walls 212b, 212c, 212d, and 212e of the reservoir 212. Thus, the guide ribs 214 of Matsuhashi's excess ink capturing mechanism 211 do not extend from the side walls 212b, 212c, 212d, and 212e of the reservoir 212. Moreover, the guide ribs 214 shown in Matsuhashi only extend upward from a center portion the bottom plate 212a of the reservoir 212. Since the guide ribs 214 of Matsuhashi's excess ink capturing mechanism 211 do not extend from the side walls 212b, 212c, 212d, and 212e of the reservoir 212, the guide ribs 214 are not the equivalent of "first and second support beams extending from the first and second wall portions of the ink collector in the paper feed direction and in an opposite direction to the paper feed direction, respectively ...," as presently recited in independent claim 1 of Applicants' invention. Accordingly, Applicants respectfully submit that Matsuhashi fails to teach each element as presently recited in independent claim 1 of Applicants' invention.

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"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). "The elements must be arranged as required by the claim..." In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990). Further, in the event that the Office Action is relying on the theory of inherency in any manner, "the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied art." Ex parte Levy, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original). See also MPEP 2112. Accordingly, since Matsuhashi does not explicitly or inherently teach every element as presently recited in independent claim 1, Matsuhashi cannot be properly used to reject independent claim 1 under 35 U.S.C. § 102. Therefore, it is respectfully submitted that independent claim 1 is allowable over Matsuhashi, and withdrawal of this rejection is earnestly solicited.

Regarding claims 2-11, it is respectfully submitted that for at least the reasons that each of claims 2-11 depends from independent claim 1, and therefore contain each of the features as presently recited in this claim, claims 2-11 are therefore also patentable over Matsuhashi. Accordingly, withdrawal of the rejection of these claims is also earnestly solicited.

Claims 25-29 and 31

As set forth above in the discussion of independent claim 1, it is evident from FIG. 8 of Matsuhashi that the guide ribs 214 protrude from the bottom plate 212a within the reservoir 212 without contacting the side walls 212b, 212c, 212d, and 212e thereof. Thus, the guide ribs 214 shown in Matsuhashi only extend upward from a center portion the bottom plate 212a in the reservoir 212, and the guide ribs 214 do not extend over the reservoir 212. Since the guide ribs 214 of Matsuhashi's excess ink capturing mechanism 211 do not extend over the reservoir 212, the guide ribs 214 are not the equivalent of "a plurality of first support beams extending over the space at an upper portion of the ink collector..." and "a plurality of second support beams extending over the space at an upper portion of the ink collector..." as presently recited in

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independent claim 25 of Applicants' invention. Accordingly, Applicants respectfully submit that Matsuhashi fails to teach each element as presently recited in independent claim 25 of Applicants' invention. Since Matsuhashi does not explicitly or inherently teach every element as presently recited in independent claim 25, Matsuhashi cannot be properly used to reject independent claim 25 under 35 U.S.C. § 102. Therefore, it is respectfully submitted that independent claim 25 is allowable over Matsuhashi, and withdrawal of this rejection is earnestly solicited.

Regarding claims 26-29 and 31, it is respectfully submitted that for at least the reasons that each of claims 26-29 and 31 depends from independent claim 25, and therefore contain each of the features as recited in this claim, claims 26-29 and 31 are therefore also patentable over Matsuhashi. Accordingly, withdrawal of the rejection of these claims is also earnestly solicited.

Claim 32

At page 8 of the Office Action of November 2, 2005, the Examiner takes the following position that Matsuhashi discloses "a plurality of first support beams (214, even) extending at an upper portion of the ink collector in a printing medium feed direction to support the printing medium at a printing medium feed side of the ink collector; and a plurality of second support beams (214, odd) extending from an upper portion of the ink collector at a printing medium discharge side of the ink collector and in an opposite direction to the printing medium feed direction..."

As set forth above in the discussion of independent claim 1, Matsuhashi is directed to an excess ink capturing mechanism 211 having guide ribs 214 for guiding recording paper over a reservoir 212. See Matsuhashi col. 10, lines 22-33 and FIG. 8. Matsuhashi's excess ink capturing mechanism 211 includes a bottom plate 212a and side walls 212b, 212c, 212d, and 212e rising from the periphery of the bottom plate 212a. The Examiner again relies on the guide ribs 214 shown in Matsuhashi as allegedly being the same as "a plurality of first support beams" and "a plurality of second support beams," as recited in independent claim 32 of Applicants' invention. However, it is evident from FIG. 8 of Matsuhashi that the guide ribs 214 protrude from a center portion of the bottom plate 212a away from the side walls 212b, 212c,

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212d, and 212e of the reservoir 212. That is, none of Matsuhashi's guide ribs 214 are disposed at a printing medium feeding side of the reservoir 212, and none of Matsuhashi's guide ribs 214 are disposed at printing medium discharge side of the reservoir 212, since the guide ribs 214 are not disposed at any side of the reservoir 212. See Matsuhashi FIG. 8. Thus, the guide ribs 214 shown in Matsuhashi are not the same as "a plurality of first support beams disposed within the space portion at a printing medium feed side of the ink collector..." and "a plurality of second support beams disposed within the space portion at a printing medium discharge side of the ink collector ...," as recited in independent claim 32 of Applicants' invention, since the guide ribs 214 shown in Matsuhashi are not disposed near any of the sides of the excess ink capturing mechanism. In fact, the guide ribs 214 shown in Matsuhashi only extend upward from a center portion of the bottom plate 212a. Accordingly, Applicants respectfully submit that Matsuhashi fails to teach, among other things, "a plurality of first support beams disposed within the space portion at a printing medium feed side of the ink collector extending in a printing medium feed direction to support the printing medium above the space portion" and "a plurality of second support beams disposed within the space portion at a printing medium discharge side of the ink collector and extending in an opposite direction to the printing medium feed direction, the plurality of second support beams being overlapped by the plurality of first support beams to support the printing medium during feeding thereof between the ink head and the ink collector," as presently recited in independent claim 32 of Applicants' invention.

Accordingly, since Matsuhashi does not explicitly or inherently teach every element as presently recited in independent claim 32, Matsuhashi cannot be properly used to reject independent claim 32 under 35 U.S.C. § 102. Therefore, it is respectfully submitted that independent claim 32 is allowable over Matsuhashi, and withdrawal of this rejection is earnestly solicited.

Claims 1-9, 11, 25-29, 31, and 32 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2002/0089564 to Ohashi. Applicants respectfully request reconsideration of these claims for at least the following reasons.

At page 9 of the Office Action of November 2, 2005, the Examiner takes the position that

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Ohashi discloses "an ink collector (fig. 7, elements 11 and 12) positioned under paper to correspond to the nozzle unit and collect ink digressing from the paper (fig. 3)..."

Applicants submit that Ohashi is directed to an inkjet recording apparatus including a platen 11 having rows of ribs 11a and 11b disposed thereon, and a platen ink absorber 12 disposed to surround the ribs of the rib rows 11a and 11b. See Ohashi paragraphs [0078] and [0079] and FIGS. 7A and 7B. However, it is evident from FIGS. 7A and 7B of Ohashi that the ribs in the ribs rows 11a and 11b protrude upward from a surface of the platen 11 through the platen ink absorber 12, which rests on the surface of the platen 11. That is, Ohashi's platen 11 does not have "an ink collector positioned under paper to correspond to the nozzle unit and having first and second wall portions to define a space to collect ink," as presently recited in independent claim 1. Thus, Applicants submit that Ohashi's platen 11 and platen ink absorber 12 is not the same as "an ink collector," as presently recited in independent claim 1 of Applicants' invention. Accordingly, Applicants respectfully submit that Ohashi does not teach each element as presently recited in independent claim 1 of Applicants' invention.

Since Ohashi does not explicitly or inherently teach every element as presently recited in independent claim 1, Ohashi cannot be properly used to reject independent claim 1 under 35 U.S.C. § 102. Therefore, it is respectfully submitted that independent claim 1 is allowable over Ohashi, and withdrawal of this rejection and allowance of this claim are earnestly solicited.

Regarding claims 2-9 and 11, it is respectfully submitted that for at least the reasons that each of claims 2-9 and 11 depends from independent claim 1, and therefore contain each of the features as presently recited in this claim, claims 2-9 and 11 are therefore also patentable over Ohashi. Accordingly, withdrawal of the rejection and allowance of these claims are also earnestly solicited.

Independent claim 25 presently recites similar features as those presently recited in independent claim 1, for example, "an ink collector having first and second wall portions spaced-apart from each other to define a space." Independent claim 32 also presently recites similar features as those presently recited in independent claim 1, for example, "a platen along which the printing medium is conveyed" and "an ink collector including a space portion positioned beneath an upper surface of the platen to collect excess ink from the printing medium." Applicants respectfully submit that Ohashi does not teach each of the features as presently

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recited in independent claims 25 and 32, at least for the same reasons set forth above with respect to independent claim 1. Accordingly, since Ohashi does not explicitly or inherently teach every element as presently recited in independent claims 25 and 32, Ohashi cannot be properly used to reject independent claims 25 and 32 under 35 U.S.C. § 102. Therefore, it is respectfully submitted that independent claims 25 and 32 are allowable over Ohashi, and withdrawal of this rejection and allowance of these claims are earnestly solicited.

Regarding claims 26-29 and 31, it is respectfully submitted that for at least the reasons that each of claims 26-29 and 31 depends from independent claim 25, and therefore contain each of the features as presently recited in this claim, claims 26-29 and 31 are therefore also patentable over Ohashi. Accordingly, withdrawal of the rejection and allowance of these claims are also earnestly solicited.

Rejections under 35 USC §103

Claim 30 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Matsuhashi in view of U.S. Patent No. 6,158,840 to Kobayashi et al. Applicants respectfully request reconsideration of this claim for at least the following reason.

Claim 30 indirectly depends from independent claim 25, and therefore includes the features as presently recited in independent claim 25. The Examiner acknowledges that Matsuhashi does not disclose the space portion comprising a felt to absorb ink drops caught by the space portion. See Office Action of November 2, 2005 page 13, item 7. However, the Examiner relies on Kobayashi et al. to allegedly teach or suggest the features admittedly lacking in Matsuhashi. See Office Action of November 2, 2005 page 13, item 7. Applicants respectfully submit that even if Kobayashi et al. does in fact describe felt to absorb ink drops in the space portion, as alleged by the Examiner, Matsuhashi and Kobayashi et al., either separately or in combination, fail to teach or suggest "a plurality of first support beams extending over the space at an upper portion of the ink collector..." and "a plurality of second support beams extending over the space at an upper portion of the ink collector..." as presently recited in independent claim 25. Accordingly, claim 30 is patentable over the references relied upon by the Examiner, and withdrawal of the rejection and allowance of this claim are earnestly solicited.

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Claim 30 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Ohashi in view of Kobayashi et al. Applicants respectfully request reconsideration of this claim for at least the following reason.

Claim 30 indirectly depends from independent claim 25, and therefore includes the features as presently recited in independent claim 25. The Examiner acknowledges that Ohashi does not disclose the space portion comprising a felt to absorb ink drops caught by the space portion. See Office Action of November 2, 2005 page 13, item 8. However, the Examiner relies on Kobayashi et al. to allegedly teach or suggest the features admittedly lacking in Ohashi. See Office Action of November 2, 2005 page 13, item 8. Applicants respectfully submit that even if Kobayashi et al. does in fact describe felt to absorb ink drops in the space portion, as alleged by the Examiner, Ohashi and Kobayashi et al., either separately or in combination, fail to teach or suggest "an ink collector having first and second wall portions spaced-apart from each other to define a space," as presently recited in independent claim 25. Accordingly, claim 30 is patentable over the references relied upon by the Examiner, and withdrawal of the rejection and allowance of this claim are earnestly solicited.

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Conclusion


It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 502827.

Respectfully submitted,

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